



Z-08-12-002

**City of Greensboro Planning Department
Zoning Staff Report and Plan Amendment Evaluation**

Zoning Commission Hearing Date: December 8, 2008

GENERAL INFORMATION

APPLICANT	Derek J. Allen for Gang of Five Guys, LLC
HEARING TYPE	Zoning Commission
REQUEST	RM-18 (Residential-Multi Family) and CD-PDI (Conditional District-Planned Unit Development Infill) to CD-PDI (Conditional District-Planned Unit Development Infill)
CONDITIONS	1) Uses: Limited to multi-family dwellings, retail and office 2) The exterior of all buildings shall be at least 51% brick.
GFLUM	Low Residential to Mixed Use Residential
LOCATION	East of South Booker Street, south of East Washington Street, north of McConnell Road and west of South O. Henry Boulevard.
PARCEL ID NUMBER (S)	Multiple
PUBLIC NOTIFICATION	The notification area for this public hearing was 600 feet (Chapter 30-9-1.2 of the City Ordinance requires notification of the owner of that parcel of land and the owners of all parcels of land adjoining and contiguous to that parcel of land as shown on the County tax listing). 190 notices were mailed to those property owners in the mailing area.
TRACT SIZE	4.26 acres
TOPOGRAPHY	Slopes slightly to the north
VEGETATION	No vegetation. Earth moving taking place on site.

SITE DATA

Existing Use	Undeveloped
Adjacent Zoning	Adjacent Land Uses
N	RM-18 (Residential-Multi Family) and Single-Family dwelling units CD-PDI (Conditional District-Planned Unit Development Infill)
E	TN1 (Traditional Neighborhood) Single-Family dwelling units
W	CD-PDI (Conditional District-Planned Multi-Family dwelling units Unit Development Infill)

S RM-18 (Residential-Multi Family) Single-Family dwelling units

Zoning History

Case #	Date	Request Summary
3603	10/02/2007	The northern half of this property was rezoned from RM-18 to CD-PDI This property has been zoned RM-18 since July 1, 1992. Prior to the implementation of the Unified Development Ordinance (UDO), it was zoned RES 75

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (RM-18)	Existing (CD-PDI)	Requested (CD-PDI)
Max. Density:	18 dwelling units/acre	N/A	N/A
Typical Uses	Primarily intended to accommodate multifamily uses.	Primarily intended to accommodate residential, commercial, office, and neighborhood business uses developed on small tracts of land as infill development within currently built up areas in accordance with a Unified Development Plan	Primarily intended to accommodate residential, commercial, office, and neighborhood business uses developed on small tracts of land as infill development within currently built up areas in accordance with a Unified Development Plan

**These regulations may not reflect the actual requirements for all situations; see the City of Greensboro Zoning Code for actual regulations for site requirements for this zoning district.*

SPECIAL INFORMATION

Overlay District Ordinance/Historic Preservation – N/A

Environmental/Soils

Water Supply Watershed	N/A, Site drains to South Buffalo Creek
Floodplains	N/A
Streams	N/A
Other:	N/A

Utilities

Potable Water
Waste Water

Airport Noise Cone

The subject property is not located in the Airport Noise Cone.

Landscaping Requirements

Location	Required Planting Yard Type and Rate
North	Street Yard - minimum width 8'; 2 canopy tree per 100', 17 shrubs per 100'
South	Street Yard - minimum width 8'; 2 canopy tree per 100', 17 shrubs per 100'
East	Street Yard - minimum width 8'; 2 canopy tree per 100', 17 shrubs per 100'
West	Street Yard - minimum width 8'; 2 canopy tree per 100', 17 shrubs per 100'

Tree Preservation Requirements

Acreage	Requirements
4.26 Ac.	All trees 4" or greater DBH which are located within the required planting yards

Transportation

Street Classification	McConnell Road – Minor Thoroughfare, E. Washington Street – Local Street, S. Booker Street – Collector Street.
Site Access	All access must be designed and constructed to the City of Greensboro standards.
Traffic Counts:	None available.
Trip Generation:	N/A.
Sidewalks	Sidewalks are a requirement of the Development Ordinance. 5' sidewalk with a 5' grass strip is required along both sides of thoroughfares. 5' sidewalk with a 3' grass strip is required along one side (at a minimum, collectors may require sidewalk on both sides) of all other street types. There is no existing sidewalk along the frontage of this development.
Transit in Vicinity	Yes, route 5, Gorrell Street.
Traffic Impact Study (TIS)	No, not required per TIS Ordinance.
Street Connectivity	N/A.
Other	N/A.

IMPACT ANALYSIS

Land Use Compatibility

The proposed **CD-PDI** (Conditional District-Planned Unit Development Infill) zoning would allow land uses that are compatible with the general character of the area.

Connections 2025 Comprehensive Plan Policies

The Generalized Future Land Use Map designates this location as **Low Residential**. The requested **CD-PDI** zoning district (to facilitate multifamily, retail and office uses) is inconsistent with this GFLUM designation and an amendment to Mixed Use Residential has been requested.

Connections 2025 Written Policies

Reinvestment/Infill Goal: Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

POLICY 4C: Promote new patterns and intensities of use to increase economic competitiveness and enhance quality of life in urban areas.

POLICY 4C.1: Establish standards for and promote new forms of compact development.

POLICY 6C: Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

Economic Development Goal: Promote a healthy, diversified economy with a strong tax base and opportunities for employment, entrepreneurship and for-profit and non-profit economic development for all segments of the community, including under-served areas such as East Greensboro.

Connections 2025 Map Policies

Existing:

Low Residential (3-5 d.u./acre): This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. Although there are some existing residential areas in the City developed on lots greater than 1/3 acre, future residential developments and "conventional" subdivisions should generally maintain a gross density of no less than three dwellings per acre, except where environmental constraints (e.g., the Watershed Critical Area) prevent such densities from being achieved. Compact developments that include clustered, small lots with substantial retained open space are encouraged.

Proposed:

Mixed Use Residential: This designation applies to neighborhoods or districts where the predominant use is residential and where substantial, compatible local-serving nonresidential uses may be introduced. Such use mixes are typically found in older, in-town neighborhoods that accommodate "corner stores" and other local services, as well as in newly developed traditional neighborhood developments (TNDs). This district is also applied in areas suited to a diverse mix of housing types and densities. Ensuring

that buildings are of the appropriate scale and intensity is critical.

Comprehensive Plan Amendment History

Case #	Date	Request Summary
CP 07-29	10/2/2007	A request for a Plan amendment for the area between S Booker St., Spencer St., O Henry Blvd., and E Washington St. from Low Residential to Mixed Use Residential was approved by City Council.
CP 06-19	12/5/2006	A request for a Plan amendment for the area between W. Washington St., S. Booker St. and McConnell Rd., from Low Residential to Mixed Use Residential was approved by City Council.

Applicant Stated Reasons for Request

Explain in detail why the change is needed and a justification for such a change:

The property is currently zoned RM-18 and CD-PDI. The location and configuration of the property zoned RM-18 would make development inefficient and contrary to in-fill design principles. Aligning the land use classification of the entire property to "mixed use residential" will permit development that is consistent with surrounding uses, satisfy the growing need for attractive and safe student housing for A&T University and Bennett College, and adheres to in-fill design techniques.

Explain in detail the conditions that you think may warrant a Plan Amendment

(i.e. unforeseen circumstances or the emergence of new information, unanticipated changes in development pattern, rezonings, transportation improvements, economic opportunities, changes in socioeconomic conditions, etc.):

Development of this property as student housing would help address the current, significant student housing need for A & T University and Bennett College. In addition, this project will encourage further office and retail development of a problem area and serve to anchor existing development under the CD-PDI zoning district in order to address staff in-fill design principles. For all of these reasons, the amendment to the comprehensive plan is warranted.

COMPREHENSIVE POLICY PLAN ANALYSIS

Need for Proposed Change

The proposed sites is current designated as Low Residential with large areas of Low Residential to the south and west and a larger area of Mixed Use Residential to the north and east (as well as directly west). The applicant is requesting a change in future land use designation to facilitate the development of higher density residential uses primarily geared towards the burgeoning student populations of nearby NC A&T and Bennett College. This proposal continues recent development trends of the conversion of older single family residential properties to multi-family residential and supporting uses. Two previous amendments to Mixed Use Residential for various phases of the Sebastian Village project, immediately to the west and north of this request, was supported by staff and approved by City Council. This proposal represents an expansion of development related to Sebastian Village.

While this current proposal is supported by staff as a continuation of recent positive reinvestment in this area, staff notes the need for some type of non-residential component in immediate or close proximity to this site in order to achieve the mix called for with this designation. Previously approved requests have thus far only included higher density residential development. While the current request allows such non-residential components it does not ensure they will be included. Staff does note the much larger Mixed Use Residential designation that includes the significant Willow Oaks development, which includes a retail component. Given the relatively close proximity of this larger retail space (less than 1/8 mile) to the proposed site if strong pedestrian and vehicular connections are available the overall intent of the Mixed Use Residential district can legitimately be met for the proposed site, but staff would still encourage smaller scale non-residential space west of US 29.

Effect of the proposed Change on the Need for City Services and Facilities (e.g. roadway level of service) – N/A

Implications, if any, the Amendment may have for Other Parts of the Plan

Limited. This proposed request completes the area for the Sebastian Village project that has resulted in three map amendment requests. Staff will need to take a much closer look at any future requests for the south side of McConnell Road as this gets into a much larger and more stable Low Residential area.

Unforeseen Circumstances or the Emergence of New Information (e.g. significant economic opportunity in Tier 2 or 3) – N/A

PLANNING BOARD COMMENTS

The Planning Board met on November 19, 2008 and made the following comments:

- This proposed request is a logical continuation of previously approved future land use designation changes for adjacent areas to facilitate good infill development (supported by full Planning Board)

CONFORMITY WITH OTHER PLANS

City Plans – N/A

Other Plans - N/A

Staff/Agency Comments

Planning

The 4.26 acre subject property is sandwiched between East Washington Street to the north and McConnell Street to the south. To the east are South O. Henry Boulevard and US Highway 29 and to the west is Sebastian Village, a multi-family development predominantly for students of which the proposed development is going to be part of.

Within $\frac{3}{4}$ of a mile from the subject site are 2 collegiate institutions; namely, North Carolina Agricultural and Technical State University and the Bennett College for Women. It is the intent of the applicant to construct multi-family dwellings, retail and office units to help provide the much needed student housing and related facilities in this vicinity.

Staff believes that the application of the planned unit development requirements to this property will encourage innovative arrangement of buildings and open space to provide efficient, attractive, flexible, and environmentally sensitive design as well as a development functioning as a cohesive, unified project which will not substantially injure or damage the use, value, and enjoyment of surrounding property nor hinder or prevent the development of surrounding property in accordance with the adopted plans and policies of the City.

This rezoning request if approved will help promote a diverse mix of uses, housing types, and densities in the general neighborhood without impacting the overall mix of uses which will meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities. It will also ensure sound and sustainable patterns of land use, limit sprawl and provide for the efficient provision of public services and facilities as the City expands.

Staff believes that this request is consistent with the intent and purpose of the zoning code and will be consistent with the requested GFLUM (Generalized Future Land Use Map). Staff is also of the opinion that the request is compatible with the existing development and trend in the surrounding area.

Water Resources - No additional comments

N/A

Housing and Community Development

This proposed development is a continuation of the development pattern that has transformed the Tolbert Neighborhood, bounded by McConnell Road, Benbow Road, O. Henry Boulevard / US 29, and Cunningham Street from a neighborhood primarily of detached single family housing, to one of large apartment buildings marketed primarily to students. This change has taken place within the last 3 to 4 years. In 2005, plans for the first phase of the Sebastian Village development began on a block located southwest of the current rezoning request, crossing into the Morningside/Lincoln Grove Redevelopment Area. The Redevelopment Commission amended the Morningside/Lincoln Grove Redevelopment Plan to accommodate the Sebastian Village development. The portion of the current rezoning proposal between Spencer Street and McConnell Road is situated within the Willow Oaks Redevelopment Area. The Redevelopment Commission voted to support this rezoning during its meeting on November 11, 2008. As a further step in the near-total recasting of the former Tolbert Neighborhood, this proposal appears to be compatible with its surroundings.

STAFF RECOMMENDATION

PLANNING

Staff recommends **approval** of the requested **CD-PDI** (Conditional District-Planned Unit Development Infill) zoning district.